

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MARINE TERMINALS CORP. -- EAST  
d/b/a PORTS AMERICA

Employer

and

Case 10-RC-080061

SOUTH ATLANTIC & GULF COAST DISTRICT  
INTERNATIONAL LONGSHOREMEN'S ASSOCIATION  
Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review<sup>1</sup>

MARK GASTON PEARCE, CHAIRMAN

BRIAN E. HAYES, MEMBER

RICHARD F. GRIFFIN, JR., MEMBER

Dated, Washington, D.C., July 16, 2012

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<sup>1</sup>In agreeing with the Regional Director that the Employer had not sustained its burden of demonstrating that the part-time stevedores possess the supervisory authority to suspend, discharge or discipline employees, we do not rely on the Regional Director's suggestion that to "fire" or "knock off" a longshoreman by sending him home without pay for the day does not constitute discipline. Instead, we find that the Employer has not demonstrated that the part-time stevedores possess this authority. We find that the Employer has also not demonstrated that the part-time stevedores, as a group, substitute on a regular basis for supervisory employees and thus exercise supervisory authority on a regular and substantial basis. *Hexacomb Corp.*, 313 NLRB 983 (1984).